

REMARKS

Prior to this Reply, Claims 1-33 were pending. In the above-referenced First Office Action, Claims 13-23 were allowed and Claims 2-5, 25, 28, and 29 were objected to because they depended upon a rejected base claim. The Examiner also rejected Claims 1, 6, 7-12, 24, 26, 27, and 30-33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 4, 6, 8, and 11 of U.S. Patent No. 6,634,466 in view of the Roadmaster Publication of 1999. Further, the Examiner also rejected Claims 1, 6, 7-12, 24, 26, 27, and 30-33 under 35 U.S.C. § 102(b) as being anticipated by the Roadmaster Publication 98100. Applicants respectfully traverse all of the Examiner's rejections. Through this Reply, Applicants have amended Claims 1, 3, 4, 24 and 28, and canceled Claims 2 and 25. Thus, Claims 1, 3-24, and 26-33 remain at issue in the present case.

Applicants have also amended the Specification in order to include a cross-reference to the patent number of the parent application from which the current application claims priority. No new matter has been added.

Applicants wish to thank the Examiner for the courtesies extended during the telephonic conversation conducted on September 28, 2004, during which the omission of previously filed Information Disclosure Statement ("IDS")-related references were discussed. Pursuant to that discussion and at the Examiner's suggestion, enclosed herewith are copies of references that were previously, timely, and properly submitted to the USPTO in connection with the current matter. See Exhibit 1. Applicants further note that Reference No. 28 (i.e., the K. Stephen Busick Article) is a part of this record and should be considered by the Examiner as it was properly identified by Applicants in their January 19, 2004 IDS pursuant to 37 C.F.R. § 1.98(d) and was previously supplied to and considered by the Examiner in the parent case, U.S. Patent No. 6,634,466 (see enclosed cover sheet of the '466 Patent, attached as Exhibit 2), from which the above-referenced application claims priority.

*Application No. 10/650,347*

Resubmission of the enclosed references is not intended as an admission that any such item is prior art or is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should any inference be drawn as to the pertinence of these references based on the order in which they are presented. In light of the foregoing, Applicants believe that all of these references were timely and properly placed before the Examiner prior to the issuance of the First Office Action. Accordingly, no additional fees are warranted at this time and Applicants request that these references be formally recognized by the Examiner as part of this record.

Next, Applicants would like to thank the Examiner for allowance of Claims 13-23. In light of the above-referenced objections to Claims 2-5, 25, 28, and 29, Applicants have made the following amendments. First, Applicants have amended Claim 1 to include the limitations of Claim 2, which has now been canceled. Claims 3 and 4 have been amended to incorporate all the limitations of base Claim 1. In light of these amendments, there was no need to amend Claim 5. Furthermore, Applicants believe that in light of all of the foregoing amendments, Claims 6-12 are also now in a condition for allowance and ask that the Examiner withdraw his initial rejection of these claims as well.

Claim 24 has been amended to incorporate the limitations of dependent Claim 25, which has now been canceled. In light of Amended Claim 24, Applicants believe that Claims 26 and 27 are also now in a condition for allowance and ask that the Examiner withdraw his initial rejection of these claims.

Claim 28 has been amended to incorporate all of the limitations of base Claim 24. As such, there was no need to amend objected to Claim 29. Similarly, in light of Amended Claim 24, Applicants believe that Claims 30-33 are also now in a condition for allowance and ask that the Examiner withdraw his initial rejection of these claims.

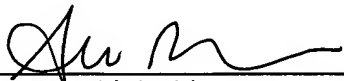
*Application No. 10/650,347*

Based on the foregoing, Applicants believe that all pending claims in the above-reference application are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: \_\_\_\_\_

  
Scott R. Bialecki  
Registration No. 51,470  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: \_\_\_\_\_

10 | 28 | 04